

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Reginald Smith,

Case No. 0:19-cv-00796-PJS-KMM

Petitioner,

v.

Order

Warden M. Rios,

Respondent.

Reginald Smith, Reg. No. 40733-039, FPC Duluth, P.O. Box 1000, Duluth, MN 55814, *pro se*

Ana H. Voss, Ann M. Bildtsen, and Erin M. Secord, Assistant United States Attorneys, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, counsel for respondent

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Katherine Menendez dated June 21, 2019. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. The Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (**ECF No. 1**) is **DENIED**;
2. Mr. Smith's motion for immediate release (**ECF No. 2**) is **DENIED AS MOOT**.
3. This matter is **DISMISSED WITH PREJUDICE**.

Let Judgment be entered accordingly.

Date: 7/18/19

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge